

Hall (over)

Shelf 3

~~Bay Shelf~~
~~opposite door~~

Right hand
of Door

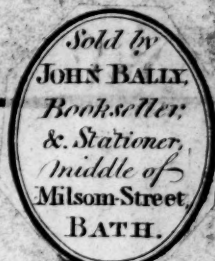
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TRIAL

OF

Mrs. *Fane Leigh Perrot.*

[Price TWO SHILLINGS.]



TRIAL

THE JURY

OF THE COURT

THE
T R I A L
OF
JANE LEIGH PERROT,
WIFE OF
JAMES LEIGH PERROT, Esq;
CHARGED WITH
STEALING a CARD of LACE,
IN THE SHOP OF
ELIZABETH GREGORY,
HABERDASHER and MILLINER, at BATH,
BEFORE
Sir SOULDEN LAWRENCE, Knight,
ONE OF THE JUSTICES OF HIS MAJESTY'S COURT OF
KING'S BENCH.
AT TAUNTON ASSIZES,
On Saturday the 29th Day of March, 1800.

TAKEN IN COURT BY
JOHN PINCHARD, Attorney,
OF TAUNTON.

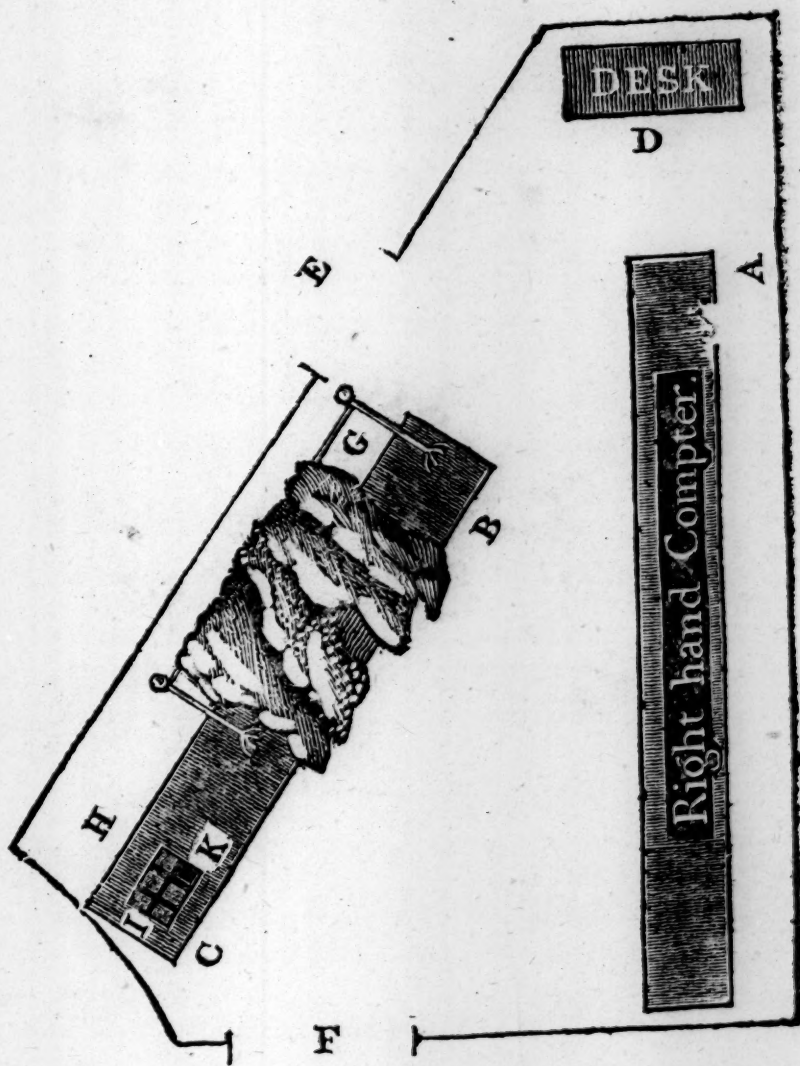
TAUNTON:

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PLAN of Miss GREGORY's SHOP. (Late WILLIAM SMITH's.)

STALL-STREET.



BATH-STREET.

To the Crosse Bath.

L

Leech's Shop.



ADVERTISEMENT.

At the time this Trial was taken by the Editor, he had not the most distant idea of publishing it under its present form; but the many various and contradictory accounts contained in the public prints respecting the transaction, the general curiosity which has been excited, and the repeated requests of his friends, who were desirous that a full and impartial account of it should be published; have induced him to commit his minutes to the press.

Unconnected, and unacquainted, with either of the parties, he gives the Trial without comment or embellishment; and pledges himself that he has not intentionally either added to it, or omitted, any word which can materially affect its accuracy.

Taunton, 8th April, 1800.

The JURY.

CHARLES TUCKER, of Chard, Postmaster.
JOHN MITCHELL, of the same Place, Innholder.
JOHN WHITE, of the same Place, Schoolmaster.
JAMES HILL, of the same Place, Carrier.
EDWARD MURLEY, of West-Chinnock, Linman.
HENRY BAKER, of West-Coker, Sailclothmaker.
JOSHUA CUFF, of Combe St. Nicholas, Soapboiler.
WILLIAM SHATTOCK, of Wellington, Baker.
WILLIAM SERCOMBE, of the same Place, Tallow-
chandler.
THOMAS GORE, of the same Place, Sergemaker.
JOHN NURTON, of the same Place, Sergemaker.
GEORGE HARDING, of Milverton, Miller.

COUNSEL.

For the PROSECUTION.	For the PRISONER.
VICARY GIBBS, Esq.	NATHANIEL BOND, Esq.
JAMES BURROUGH, Esq.	ROBERT DALLAS, Esq.
	JOSEPH JEKYLL, Esq.
	ALBERT PELL, Esq.

SOLICITORS.

For the PROSECUTION.	For the PRISONER.
Mr. CHEESMAN, of Bath.	Mr. WATTS, of Bath.

THE
T R I A L
OF
Mrs. *JANE LEIGH PERROT.*

MRS. JANE LEIGH PERROT being called up to the bar, the indictment was read, which was as follows, viz.

Somerfetshire, to wit. The jurors of our Lord the King, upon their oath, present, that Jane Leigh Perrot, late of the parish of Saint Michael, in the city of Bath, in the county of Somerfet, wife of James Leigh Perrot, of the same parish, esquire, on the eighth day of August, in the thirty-ninth year of the reign of our Sovereign Lord George the Third, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, with force and arms, at the parish of Saint James, in the said city, and in the county aforesaid, ten yards of white thread lace, and ten yards

B

of

of other lace, of the value of twenty shillings, of the goods and chattels of Elizabeth Gregory, then and there being, feloniously did steal, take, and carry away, against the peace of our said Lord the King, his crown and dignity.

Second count. Stating the lace to be the property of William Gye and Lacon Lamb.

Third count. Stating it to be the property of William Smith.

Fourth count. Stating it to be the property of Mary Smith.

The Prisoner having been arraigned and pleaded Not Guilty, the jury were then sworn, Mr. Burrough opened the indictment, and Mr. Gibbs proceeded to address the jury to the following purport.

He began by stating the station in life of the Prisoner, and of the Prosecutor ; that the Prisoner is wife of a man of considerable fortune at Bath, and that Miss Gregory keeps a haberdasher and milliner's shop, in Bath-street, in the city of Bath. In order to render what he was about to state intelligible, Mr. Gibbs said
it

it was necessary to describe to the Court the situation of Miss Gregory's shop, which he did from a plan (an exact copy of which is here given) in the manner described in Miss Gregory's examination.

After stating the circumstances, which he observed would be proved on the part of the prosecution, Mr. Gibbs anticipated that the defence set up would in all probability be either that the witness, Filby, had by mistake inclosed the card of white lace, charged to have been stolen, in the same parcel with the black lace, purchased by the Prisoner, at the shop, or that it was a malicious prosecution, set on foot for the purpose of extorting money from the Prisoner's husband. If that be proved, (said Mr. Gibbs) there could not be a more infamous or wicked attempt. All the witnesses must, in that case, be perjured, and the crime would if possible be greater even than that wherewith the prisoner was charged. But that this could not have been the case, Mr. Gibbs inferred from the conduct of all the parties concerned in the prosecution, who did not lie by to make this charge privately, but, on the contrary, immediately after the transaction, went to the

Town-Hall, to lay information before the magistrates; and that, although many days elapsed (from Thursday the 8th to Wednesday the 14th of August) before the depositions could be taken, from reasons which would be assigned, yet they related all the circumstances to the town-clerk and deputy town-clerk, and to every person they met. It was then impossible to recall the report. If, therefore, the facts are proved, can it (said he) be believed that the charge is fabricated?

Elizabeth Gregory sworn, examined by Mr. Burrough, deposed that in August last she kept a haberdasher and milliner's shop in Bath-street, at Bath, that the business was carried on by her, that she had an apprentice named Sarah Raines, a shopwoman of the name of Leeson, and a shopman whose name was Charles Filby; that Filby had been with her about six months, at the yearly wages of 50l. The shop fronts Bath-street; as you enter it from Bath-street, there is a counter on the right hand; beyond the counter at a little distance from it is a desk; there is another counter on the left hand, upon the lower part of which are two upright bars of brass supporting a brass railing,

railing, on which veils and handkerchiefs are hung—it was made purposely. From the entrance of the shop to the brass rail is two yards and half—the rail is itself about two yards and half in length—at the bottom of this counter, on the left hand, is a door and some stairs, which lead down to the kitchen. (See the plan annexed.)

That on the 8th of August last, Mrs. Leigh Perrot came to the shop between one and two o'clock, and asked Witness to let her look at the black lace which she had seen the day before—but previous to asking for that, she enquired if the lace expected from London was yet come; and being answered that it was not, she then desired to look at the other—Witness shewed it to her—it was in a box on the left hand counter, near the brass rail at the bottom of the shop—several veils and handkerchiefs were hung on the brass rail, the best part of which was covered with them, and they hung down so as to intercept the view of any person behind them in the shop. Prisoner was standing without side the counter [B] and Witness inside [G]—there were several different parcels of black lace in the box—Prisoner fixed

on part of it—Filby was then at the top part of the counter nearest the door [H] on the left hand side—he was measuring white lace when Prisoner came into the shop—we were taking stock—he was inside the counter—Witness then called Filby to her, and told him to measure the lace she had sold to Prisoner, which he did—in doing which he was at the bottom of the left hand counter within side, and Prisoner outside—Witness then went down to the desk [D] leaving Filby measuring the black lace. Miss Gregory says she then called to Miss Raines, her apprentice, to clear away the black lace box which she had left at the bottom of the left hand counter—she did so, and Witness sat down at the desk till it was done—Witness says her face was towards the door and that she could see to the end of the counter—while Witness was so sitting there Filby came to her for change of a five pound note—Prisoner was to pay one pound nineteen shillings for the black lace—Witness heard her say to Filby, “Can you give me change for a “five pound bank note?”—Witness gave him the change and he took it back to the Prisoner—as soon as Witness had given the change to
 Filby,

Filby, she went down the stairs to dinner—when she went down she saw that the Prisoner was gone from the bottom of the left hand counter, but did not see where to—very little business is done at Bath at that time of the year—there were no goods on the counter on the right hand side the shop, nor any on the left hand counter, except the box of black lace, the box of white lace and the veils on the rail—when Witness went down to dinner as before stated, Miss Raines was at the desk—Witness came up again in about ten minutes (it appears that Filby had been down in the kitchen and told her what he had observed respecting the Prisoner) that in about a quarter of an hour after she came up, she saw Mrs. Leigh Perrot in the street—had reason to believe lace had been taken from the shop—Prisoner was passing the street on the other side the way and her husband with her—Witness went across to them and addressing herself to Mrs. Leigh Perrot, said “Pray, ma’am, have not you
 “a card of white lace as well as black?”—Mrs. Leigh Perrot answered, “No, I have not a bit of
 “white lace about me.”—Witness then said to her, “See in your pocket, ma’am.”—Mrs. Leigh

Perrot then took out her arm from under her cloak and gave a paper parcel to Witness, saying, "If I have your young man must have put it up in mistake." Witness then described and represented with paper the situation the paper parcel was in when Prisoner so produced it—it was rumpled, and appeared to have had something folded up in it, but the ends were then both of them open and not folded. Witness says that Prisoner trembled very much, was much frightened, and coloured as red as scarlet—that Prisoner presented to her the paper, and Witness (whether while it was in Prisoner's hand, or just when she had taken it into her own, she is not certain) pulled down the corner of the paper, "*in this manner,*" (representing it,) and saw the card with white lace, and the black lace over it---that the black lace card was about an inch shorter than that of white lace—Witness says she took out the white lace, and having looked at it she said, "Yes, it is mine; I'll swear to it"—knew the private mark on it ^w/_i—it was Filby's writing—said to Prisoner she would swear to the shop mark—Prisoner told her it was in the paper, and that the man had given it in
mistake—

mistake---Witness replied, "'Tis no such thing, 'tis no such thing; you stole it, you are guilty." Mr. Leigh Perrot hearing this, called after Witness and said, "She did not," or "'Tis no such thing," or something of that sort. Witness then took out the white lace, and carried it home, leaving the black lace and paper with the Prisoner. Within half an hour after, Witness went to the Town-Hall, at Bath, to go before the magistrates—Mr. Filby went with her—they were prevented from laying an information, the mayor having left the Hall—that she saw Mr. Jeffery, the town-clerk, there, and also Mr. George, the deputy town-clerk, and mentioned to them what had happened—they told Witness to come again next day—she went accordingly at eleven o'clock—thinks Filby was with her—staid two or three hours waiting at Mr. Gye's, which is opposite the Town-Hall—that she went every day until the Wednesday following—they were prevented from having their informations taken before, by the magistrates being engaged about the soldiers who were passing through Bath. (The lace was then produced in court.) The lace was in the possession

session of Mr. Gye one night only—he delivered it back again to Witness next day—Witness is certain it was the same lace, and on the same card, which she received from the hand of Mrs. Leigh Perrot.

On her cross-examination, by Mr. Dallas, Witness said she had been in the shop nearly five years—kept it two years herself—is sister to Mrs. Smith, who kept it before—Mr. Smith in London 8th August—Mrs. Smith in Cornwall—carried on business on her own account, not for the benefit of Smith and wife—Prisoner had been at the shop the day before—don't know who there besides, but believes Miss Leeson was—impossible to recollect exactly who besides—Prisoner looked at the black lace the day before—the shop is very light—no person came into the shop all the time Prisoner was there—Filby about six or seven yards from Witness, measuring white lace—he came from the top to bottom of the counter to measure black lace—was about four yards from Witness when he measured and put up black lace in the paper parcel—Prisoner gave Filby a Bank note after he had measured the black lace—the lace was folded up in paper when

when delivered to Prisoner—Filby brought Witness the bill—Prisoner had a black cloak on—Witness was about ten minutes in the kitchen before Filby came to her, then went up and left him in the kitchen—Witness did not then know Prisoner's name—the shop is generally open till dark—it was about five minutes after Witness came up from dinner, before she saw Prisoner in the street—cannot exactly say how long it was—never has since, at any moment, been able to say exactly what time had elapsed—Prisoner was walking publicly in the street—when Witness took the parcel from Prisoner in the street, the paper was in a rumpled state—there were several persons near at the time, but they could not hear the conversation—the name over the shop is William Smith—Witness said she knew of an advertisement having been made in Smith's name, for selling off the stock—Smith does not receive the profit.

Being again examined in chief, Witness said she was certain no other person had been in the shop after Prisoner came in—that one lady was there when Prisoner came in first, an old lady who staid about three minutes.

On

On her second cross-examination she said Mrs. Smith was not entitled to more of the profits than Witness chose to give her—that when Smith left the shop, Mr. Gye and Mr. Lamb were trustees of the property for the creditors of Smith---that the trustees gave it up to Witness, who was to pay them the amount by instalments, and they were to be answerable to the creditors for fifteen shillings in the pound—that since then she had bought and sold upon her own account, and in her own name—that it is customary and advantageous that the old name should be continued on shops, and it was sometimes done for years after a person had given up trade—that Smith's name was continued over the door with this view only—that she neither saw nor heard of the Prisoner from Thursday the 8th until Wednesday the 14th of August.

Charles Filby sworn, examined by Mr. Gibbs, deposed that on the 8th of August last, he lived with Miss Gregory as a shopman—that he has been in trade for himself—lived with Miss Gregory about six months—Witness has been twice a bankrupt—remembers Mrs. Leigh Perrot coming into the shop the 8th of August—

August—never saw her before as he recollects—Witness was measuring a box of white lace behind the left hand counter near the end of it [H]—the lace in the box was folded up upon cards of a light blue colour—that he took off the lace from the cards, and having measured it put it on again, and affixed a ticket to it—that the bottom part of the box was on his right hand, on the counter nearest the street, and the lid of the box on his left hand, the unmeasured cards of lace were in the lid of it on his left hand, and those which he had measured he had placed in the bottom of the box on his right hand—the private shop mark was made on the cards themselves, the tickets which were affixed denoted the number of yards that each card contained—there was no other customer in the shop when Prisoner came in—a person came in afterwards, staid four or five minntes, was served and went away—the Prisoner went to the bottom of the right hand counter [A] and asked Miss Gregory if the laces were come from London which she expected—Miss Gregory said they were not—Prisoner then asked to see the lace which she had seen the day before—Miss Gregory crossed

crossed the shop to the inside of the bottom of the left hand counter [G] and took down a box of black lace—Prisoner was then on the opposite side of the counter [B]—Prisoner looked over part of it, and Miss Gregory looked over part—Prisoner made choice of one which she had seen the day before—Witness then about four yards from her—could not hear their agreement for the lace—Miss Gregory called Witness from where he was sitting [H] and desired he would come and measure the black lace over which Prisoner had made choice of—Witness had measured six pieces of the white lace, and placed them in the box [I] when Miss Gregory called him—the lace on the last of which having been on an old card which was much defaced, he did not use that card again, but took a new card from behind him, wound the lace upon it and marked the card with the shop mark $\frac{w}{i}$ —about four of those cards would lie in the bottom of the box without being over each other—that card was put in the left hand corner of the box furthest from him [K]—he was measuring the seventh card when Miss Gregory called him, which he then put upon the unmeasured pieces in the
lid

lid of the box, and placed the lid upon the chair on which he had been sitting—the bottom part of the box he left in the same situation that it was in—he then went and measured the black lace for the Prisoner—Miss Gregory called Sarah Raines at the same time to come and put up the rest of the black lace into the box—she did it—it was at the further part of the counter—Prisoner was the opposite side—Witness wrapped the Prisoner's black lace round a small card and put it in a piece of whited brown paper which he took from under the counter close by him—he wrapped it up in the usual way (Witness then shewed to the Court the manner in which it was done up, which was by first folding it in the paper lengthways, then turning inwards the two corners at each end to meet, and then doubling the ends down twice to make the parcel square)—swears that he delivered it to Mrs. Leigh Perrot so folded, and she gave him in return a five pound bank note, and desired to have change for it—Miss Gregory was then at the desk at the bottom of the shop, about four yards from where the Prisoner stood—from the time Witness left the white lace box, and went and measured the
black

black lace for the Prisoner and delivered it to her, he swears he never once moved from the place—when he was carrying the five pound note to Miss Gregory at the desk [from G to D] his back was towards the Prisoner—the desk was four yards from where the black lace was delivered to her—after Miss Gregory had given Witness the change, she went down the stairs to the kitchen, and he turned round and observed that Prisoner had moved from the place where he had left her to the further end of the shop, and was standing with her face towards the desk, and her left hand towards the box of white lace [C]—Witness passed up inside the counter when he went to carry her the change—as he was going behind the shawls and handkerchiefs, Prisoner was obscured by them from his sight—when he got far enough on to see Mrs. Leigh Perrot, he saw her left hand come out of the box with a card of the lace in her hand—she drew her left hand under her cloak—she did not so conceal her hand under the cloak as to prevent him from seeing what she had in it—he saw the corner of the card—in drawing her hand so quick under her cloak she rather drew her cloak on one side, and

Witness

Witness saw the card under it—the corner of the blue card—the card was partly concealed by the cloak—the black lace was in her right hand—he gave her the change at that end the counter nearest the door—laid it down on the counter and Prisoner took it up with her *right* hand, in which the black lace was—she then asked him where Mrs. Smith was, when she would be at home, and some other questions, and then left the shop—Miss Gregory was then down stairs, Miss Raines and Miss Leeson were in the shop when Prisoner left it—Witness after staying in the shop two or three minutes and conversing with them, went down to Miss Gregory in the kitchen—he did not examine the white lace box at that time—Witness was then asked by Counsel whether he had any doubt about having seen Prisoner take the lace, and again swore positively that he saw her take it out of the box—certain that he saw it under her left arm—having had some conversation with Miss Gregory in the kitchen she went up stairs—Witness some time afterwards went up and found Miss Gregory there with the card of white lace in her hand—Witness had put the shop mark on one card, but don't

C

recollect

recollect he did on any other—(the card was then produced and Filby swore it was the same on which he had so put the shop mark and measured the lace)—he then went out to look for Mrs. Leigh Perrot, and saw her and her husband on turning the corner of the Abbey Church-yard—they were then together but soon separated, and Witness ran after prisoner, on observing which, she ran back to her husband—Witness came up to them and asked Mr. Leigh Perrot his name—he answered that he lived at No. 1, Paragon Buildings, and that his name was on the door—Witness went there directly and saw the name—he then went to Gye's, and afterwards went with Miss Gregory to the Town-Hall—it was about half an hour after he quitted Mrs. Leigh Perrot that he went to the Town Hall—he found Mr. Jeffery and Mr. George there—he went there to speak of the business, and to lay his complaint, but the magistrates were all gone—that Mr. Jeffery and Mr. George appointed the following day for them to come again—that he did not go with Miss Gregory the next day, but that he afterwards went with her—the magistrates were at that time
much

much occupied in attending to the soldiers who were passing through Bath—Witness there on two or three days, Miss Gregory there once when he was not—the information was laid on the Wednesday following (14th of August).

Cross-examined by Mr. Bond.—Was hired by Mrs. Smith six months before August—cannot say how long it was before he was hired, that Mr. Smith absconded—did not enquire particularly—he had left Bath before Witness was hired—the goods belonged to Miss Gregory—Mrs. Smith was in the house at the time Witness was hired—don't know where her husband was—Witness brought up in the haberdashery line—eight years ago was journeyman at a shop in St. Paul's Churchyard, London—had no dealings with a person named Crouch at that time—was very intimate with him, but never had dealings with him—he was a pawn-broker—never brought goods to him—after that was partner with one Terry—Terry went to Lisbon—sent goods to Lisbon—all kinds of goods—hats, gloves, and hardware—don't know what kind of hardware—did not look them out—never saw any

bill of lading—there was an entry in the books—Witness never observed particularly—had nothing to do with the books—supposed that hardware was a good thing to be sold—bartered for goods—sent goods and not money—don't know any person of the name of Cordwall—has heard of the name of Colvill—never dealt with him—there might have been goods sent by Colvill, from Birmingham—don't know there were—Terry had the whole management of the books—Witness never looked in them, only in the waste book—all three of the partners became bankrupts—Terry, Witness, and his brother—that they had been two years and three quarters in trade—Witness afterwards went into partnership with one Crout—about five months after the first bankruptcy.—Crout supplied all the money, and that business lasted eighteen months, when the money being all gone he and Crout became bankrupts—the assignees all signed his certificate—seven out of ten of the creditors have signed it—and they all signed in their own hand writing—don't know that they ever refused to sign his certificate, as he never asked them for it before—the names were all
put

put to the certificate within three or four days of Christmas last, but it was about August two years ago he last became bankrupt—says he might have had his certificate before if he had asked for it, as it was never refused by any person—Witness's misconduct was never complained of and his certificate denied—that he never heard his creditors were dissatisfied, believes that the commissioners were satisfied, but don't think the solicitor was—says he had about eighteen pounds in his pocket, at the time of his last examination; but that the assignees knew of it—Witness's business at Miss Gregory's shop was to keep the goods to rights, and to serve the customers, and after having served them to put up the goods again—that he is always as careful as he can be—don't know that he ever did put up more things than were purchased, but might perhaps have done so—has heard of a lady of the name of Blagrove—she bought a veil at the shop—it was after the affair of the Prisoner—she took it home in her hand—says he don't know that she found two veils in the parcel, though she came the next morning and asked of Witness if he recollected serving her with
a black

a black veil, which he told her he did, and she then said that Witness ought to be very careful, considering what had lately happened with Mrs. Leigh Perrot—she brought back a veil and delivered it into his hand. Witness was then reminded by Counsel of having said that he never put up more things than were purchased, to which he replied, “ I don’t *know* of this, I received the veil brought back, but I was not obliged to believe it merely because the lady told me so—I did *not* believe ’twas put up by me.” Being asked if he would have received back the veil if he had not believed it belonged to the shop, Witness said he should not, and that he knew that veil did belong to that shop—Witness did not tell the lady he had not put it up—don’t recollect what he said to her—thinks he recollects saying he did not know of having put it up—don’t know of any other instance—know several persons named Kent—don’t recollect any one of that name dealing in Miss Gregory’s shop—don’t remember a lady buying gloves a few days before Mrs. Leigh Perrot came there, nor that any lady came and complained there were more gloves than she had bought—

bought—no such circumstance ever happened according to his recollection—cannot swear positively—says he does not remember a lady coming two days before Mrs. Leigh Perrot was there and making such a complaint—there are very *few* customers in general at that time of the year—has no recollection of the circumstance—so *many* customers in general that he cannot recollect it—there were not a great many at that time. Being taxed by the Prisoner's Counsel with contradicting himself in first saying there were *few* customers and then talking of *so many*, Witness added that though there *were* not a *great* many at that time, yet there were *so* many at that time as for him not to be able to recollect—says he marked the card of white lace, and upon coming back and looking in the box, he found a vacancy in that corner where he had left it—therefore recollected having put it there—certain it was in the left hand corner—when he saw Prisoner's left hand in the box, Miss Raines and Miss Leeson were in the shop—Miss Gregory gone out—Miss Raines at the bottom of the shop working with her needle—no customer in the shop—Miss Leeson behind some muslin

at the bottom of the shop with her back towards Prisoner.

Q. You not only say then that you saw Mrs. Leigh Perrot's hand in the box, but that you also saw the card in her hand under her cloak?

A. Yes, I did—I saw it distinctly hanging down under the cloak.

Prisoner had on a black mode cloak—is quite certain—it was not a long cloak, but one that reached just below her elbows—she was a stranger to Witness—it was about twenty minutes or half an hour afterwards before he saw her again—Mrs. Leigh Perrot did not put the change, which Witness brought to her, into a purse—he is certain of this. Being asked if in answer to Prisoner's enquiries when Mrs. Smith would come home, he had told her that was *not* her home, Witness says he did not tell her so. The distance from Paragon Buildings (where Prisoner lived) to Bath-street is about a quarter of a mile—Witness saw Prisoner soon after this happened in the street by the Abbey Church-yard—don't know but that there was time for her to have gone home if she had chosen to do so—Witness
says

says that when he went into the kitchen to Miss Gregory, he stayed there four or five minutes, and that when he came up again he met Miss Gregory with the card in her hand—that she called him up—he says he was in the kitchen from the time he went down till Miss Gregory called him.

Upon his re-examination, by Mr. Gibbs, Witness said that he cannot speak positively as to the space of time between one circumstance and another—that he was at dinner in the kitchen and that when he came up he found Miss Gregory with the card in her hand—don't know that he ever put up two veils for Miss Blagrove—nor that she received two from the shop—the veil which Miss Blagrove bought was purchased after Mrs. Leigh Perrot's business—Miss Blagrove came in just in the evening to buy the veil—one only was brought back and given to him—says he has no recollection of ever having put up five pair of gloves instead of four—that he recollects the card being put into the lefthand corner of the box—that it was the new card, and he knew it by its being the last card put into the box—is certain that
he

he left the card of white lace in the corner of the box which he found vacant—and is certain that he left it there when he went to measure the black lace for the Prisoner—is certain that from the time he went to serve Mrs. Leigh Perrot with the black lace he had never been nearer to the place where the white lace was left—says he is also certain that while the Prisoner remained in the shop she did not put the money which she received in change for the note into a purse—that the only two persons then remaining in the shop were Raines and Leeson.

Sarah Raines sworn, examined by Mr. Burrough. Was apprenticed to Miss Gregory—remembers that on the 8th August, Mrs. Leigh Perrot came into the shop—and went to the bottom of the shop—Miss Gregory was with Witness—Filby was at the top of the shop—Mrs. Leigh Perrot came to the bottom of the shop [opposite A] towards the desk [D] by right hand counter—she came to Miss Gregory and asked to look at the black lace she had seen the day before—Miss Gregory went to take down the lace—which was at the bottom of the counter on the lefthand side—Witness could not hear

hear the bargain—that she cleared away the
 black laces and put the box back herself—
 Witness then stood at the bottom of the left
 hand counter behind it and below the brass
 railing—Filby was close upon her right hand—
 Witness was putting away the lace, and he was
 measuring over the black lace Prisoner had
 bought—Witness staid till he had measured it
 over—he put what he had measured on a small
 card and put it in paper—that she does not know
 where he took the paper from, but that it was
 very near him, as he did not go from the place
 where he was standing to get it—Witness saw
 him put it up as he continued on her right
 hand—that he wrapped it up in paper—Witness
 saw him do it—there was not any thing else
 in the paper—Witness did not observe how he
 folded it up—that he was in the act of deliver-
 ing it into Prisoner's hand when Witness saw
 him—Witness then went to the bottom of the
 shop and sat down to work—Filby did not stir
 from her all the time she was putting up the
 black lace, and was not half a yard apart from
 her—before she left Filby they were about
 four yards from the white lace box—Filby did
 not go so far as to the end of the rails—Witness
 saw

saw Mrs. Leigh Perrot go out of the shop, but did not see Filby give her the change for the note—saw Miss Gregory go down the stairs as soon as she had given the change to Filby—as soon as Filby had *spoken to Witness* he went down stairs, which was as soon as Prisoner went out of the shop—Miss Gregory then came up and stood at the door, and soon afterwards she went out—it might be about ten minutes before Miss Gregory came up from the kitchen—Filby did not come up to the shop till after the lace had been taken away from the Prisoner—that Witness saw the paper of white lace in Miss Gregory's hand after she came from the street—Witness swears she is certain that Filby only put up black lace in the parcel—that Filby is always particularly careful in putting up parcels.

Cross-examined by Mr. Jekyll.—Has been apprenticed about a year—was bound to Mr. Lamb (one of the assignees of Smith)—was at work when Mrs. Leigh Perrot came into the shop—as soon as the lace was put away Witness returned to work—that all the time she was absent from work she was employed in putting away the black lace which her attention

tion was principally engaged in—admits that there was nothing particular to draw her attention in the manner of Filby's putting up the black lace, and that she sees him every day putting up parcels—that she did not then pay any particular attention to him, nor did she observe particularly from whence he took the paper to wrap up the parcel in—that Witness went before the mayor and was examined by him, but believes that he did not take her examination in writing—says she did not see the change delivered to Mrs. Leigh Perrot, nor did she see any purse in her hand while she was in the shop—that she was in the service of Miss Gregory, but had not been assigned to her.

Q. by the Judge. You say he did not put any white lace in the parcel with the black; how could you know that not being particularly observant?

A. I saw that he put in the black lace only.

Q. Are you certain of that?

A. Yes, my lord, I am.

The evidence on the part of the prosecution being closed, the Judge addressed the Prisoner
and

and told her that then was the proper time to make her defence.—After a short pause Mrs. Leigh Perrot attempted to address the Court, but after speaking a few sentences she became so much agitated that her voice failed her, and Mr. Jekyll, one of her Counsel, was requested to repeat to the Court what she wished to address to them. She then dictated as follows :

My Lord and Gentlemen of the Jury,

I am informed by my Counsel, that they cannot be permitted to offer any observations to you on my case. The circumstances of it do not render it necessary to detain you long, I shall therefore take this opportunity of troubling you with a few words.

Placed in a situation the most eligible that any woman could desire, with supplies so ample that I was left rich after every wish was gratified—blessed in the affections of the most generous man as a husband, what could induce me to commit such a crime? Depraved indeed must that mind be that under such circumstances could be so culpable.

You

You will hear from my noble and truly respectable friends what has been my conduct and character for a long series of years ; you will hear what has been, and what is now their opinion of me. Can you suppose that disposition so totally altered, as to lose all recollection of the situation I held in society—to hazard for this meanness my character and reputation, or to endanger the health and peace of mind, of a husband whom I would die for.

You have heard their evidence against me, I shall make no comment upon it—I shall leave that task where I am certain it will be executed with justice and mercy. I know my own oath in this case is inadmissible, but I call upon that God whom we all adore to attest that I am innocent of this charge, and may he reward or punish me as I speak true or false in denying it. I call that God to witness that I did not know that I had the lace in my possession, nor did I know it when Miss Gregory accosted me in the street. I have nothing more to add.

Evidence

Evidence for the Prisoner.

John Crouch sworn, examined by Mr. Bond. Says he is a pawn-broker and silver-smith, and lives in Cripplegate, London—that he knows Filby and his brother, and that they have both done business at his house in the years 1793 and 1794, supposes Filby was a haberdasher as it was haberdashery goods that he had of him—that he has never had any dealings with him since, and that he believes *Charles* Filby (the Witness) might not have been with him on business more than once.

Miss Blagrove sworn, examined by Mr. Bond. Says she was at Bath in August last—knows Smith's shop—went on the 19th of September last, at five o'clock in the evening, to buy a veil, and received it folded in paper—paid for one veil—received it from a tall shopman—says she knows Filby if she sees him—she put the parcel in her pocket, and did not open it till she got home—found there were two veils in the paper when she came to her lodgings—that she went back to the shop the next day at two o'clock, returned the veil to Filby, and asked him if he recollected her buying

Buying a veil, which he said he did—says that she then returned the veil to him, and told him that he had delivered her *two*—that he took it and said he was obliged to her and that he had not missed it.

Being cross-examined by Mr. Gibbs, Witness said that she was not acquainted with Mrs. Leigh Perrot, that she never saw her but once, and that she never spoke to her—Witness says that she herself was never accused of having stolen the veil.

Mrs. *Mary Kent* sworn, examined by Mr. Jekyll. Says she resides sometimes at Bath—that in the beginning of August last she went to Miss Gregory's shop—bought four pair of gloves and paid for them—that she is not sure who served her, but thinks it was Mrs. Smith's sister—that they were put in a parcel and she carried them home herself, but did not open them till the day after she came home—that she then returned to the shop and saw the same person.

George Vansittart, esq. M.P. for Berkshire, sworn, examined by Mr. Pell. Says that he has known the Prisoner from the autumn of 1776, that for several years he resided within

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a few miles of Mrs. Leigh Perrot, who then lived in Berkshire—that there was frequent intercourse between their families, and that from all he saw or heard of her conduct and character during the time that he knew her, he conceived her to be a person of honourable and religious principles, and incapable of any act of dishonesty—that he believed Mr. Leigh Perrot, to be a man of considerable property.

Lord Braybroke sworn, examined by Mr. Bond. Has been acquainted with the Prisoner ever since she first lived in Berkshire, which is thirty years ago—that he lived within a few miles of them, visited the family and knew them well—that he always considered Mrs. Leigh Perrot's character strictly honourable and unimpeachable, and that he knew no family in the neighbourhood that was more respected—he always considered Mr. Leigh Perrot as a man of fortune, and believes they never had any children.

Francis Annesley, esq; M. P. for Reading in Berkshire, sworn, examined by Mr. Dallas. Has been acquainted with Mr. and Mrs. Leigh Perrot thirty years—used to dine four or five times with them every summer—lived about
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six miles from them—her general character in the neighbourhood was respectable—she was much beloved and no one could have supposed that she could do any thing dishonourable.

John Grant, esq; sworn, examined by Mr. Jekyll. Has known Mr. Leigh Perrot, and his wife twenty-six years—first in Berkshire, about four miles from his house—in constant habits of visiting and frequently dined with each other—she bore a most remarkable good character and they were looked on both husband and wife, as the most affectionate pair in the neighbourhood—and Witness really conceived that there was not a neighbour in all that part of the county that could have the least suspicion of Mrs. Leigh Perrot being capable of doing a dishonest act. Their fortune was ample, and there was no occasion for any appearance of meanness in her conduct.

Rev. Mr. *Nind*, sworn, examined by Mr. Pell.—Is vicar of Wargrave, in Berkshire, in the same parish as Mr. Leigh Perrot's house, and about two miles and a quarter from it—Witness came there in the year 1784, and was in habits of intimacy with Prisoner and her husband for twelve or thirteen years—that he

her frequently—that no people attended the church more regularly than they did, and Witness always had an opinion that she was a lady of the greatest respectability—that he always considered her and her husband as examples for his parishioners in moral and religious duties—that he never could have suspected the Prisoner to have been guilty of such an action.

Rev. Mr. *Wake*, sworn, examined by Mr. Bond.—Says he is curate of the parish in Bath, in which Mr. Leigh Perrot resides—that he has been intimate with him eight or nine years—that Mr. Leigh Perrott left his country house on account of his health—that from the time Witness became curate of the parish, Mr. and Mrs. Leigh Perrot were constant attendants at the church—that he was particularly pleased at their being generally at church in the afternoon, when very few people except tradesmen and servants attend the church—he was much pleased with the serious conduct of Mrs. Leigh Perrot at church, and has often said that she would be the last person whom he should have fixed upon in the parish, to have committed such an action.

Wintborpe

Wintborpe Baldwin, esq. sworn, examined by Mr. Dallas. Lives at Bath, and has been acquainted with the Prisoner several years, has seen her frequently, and is well acquainted both with her and her husband—has never heard any thing but the most exemplary good conduct in her—that she was affectionate to her husband, not at all given to levity or extravagance, and the last person of whom he should have believed a circumstance of this kind.

William Hayward Winstone, esq. sworn, examined by Mr. Jekyll. Lives at Bath—has known Prisoner five years, and been intimate in the family—that he always apprehended her to be a woman of the highest honour, and that there is no person of his acquaintance whom he should less suspect of doing an action of this sort.

Doctor *Mapleton* sworn, examined by Mr. Pell. Has known the Prisoner near thirty years, she always bore a very respectable character from every quarter that he has been in.

Mrs. *Winstone*, wife of W. H. Winstone, esq; sworn, examined by Mr. Bond. Lives at Bath, has known the Prisoner four or five years,
and

and has been in habits of strict intimacy with her; does not know a more discreet and respectable person, and that if she had not been of that opinion she should not have appeared in the public situation she was now standing in.*

Mrs. *Cholmondeley* sworn, examined by Mr. Dallas. Has known the Prisoner intimately for forty years, and says that she has always borne the most respectable character.

Mr. *Thomas Coward* sworn, examined by Mr. Jekyll. Is a linen draper at Bath—has known the Prisoner eight or nine years—she lodged at his house six months—has been a customer at his shop, and he believes her to be a woman of integrity and good character.

Mr. *William Lonsdale* sworn, examined by Mr. Pell. He is a mercer at Bath—has known Prisoner four years, says she has dealt many times at his shop, and that he believes her to be a woman of the highest honor.

Mr. *Wright* sworn, examined by Mr. Bond. Is a jeweller at Bath—has known the Prisoner five years—has the highest opinion

* Mrs. Winstone and Mrs. Cholmondeley attended the Prisoner at the bar, during the whole time of her trial.

of her character, and believes her to be very honest, and very strict in her dealings.

The Prisoner here ended her defence.

Mr. Justice Lawrence previous to summing up the evidence to the Jury, observed to them, that though the first count in the indictment stated the lace to be the property of Elizabeth Gregory—though the second count stated it to be the property of William Gye and Lacon Lamb (assignees of William Smith)—the third count, the property of William Smith,—and the fourth count stated it to be the property of Mary Smith ; yet, *that*, he said, was not material, it having been clearly proved to have been the property of Miss Gregory. His Lordship then proceeded to sum up the evidence to the Jury, with the greatest accuracy and precision ; in the course of which he dwelt particularly on some material parts of the testimony given by the witnesses. He observed to them that the case on the part of the prosecution was fully proved, if they believed the testimony of the witnesses called in support of it. On the
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good character of Filby, his Lordship observed; there hung some doubt, but that the evidence given by him stood uncontradicted, except in one point of trivial consequence, namely, his having sworn that he never had any dealings with Crouch, the pawnbroker, whereas it afterwards appears from Crouch's evidence that Filby was *once* or perhaps twice at his house on business, which was eight or nine years ago.

His Lordship here particularly pointed out the corroboration of Filby's evidence by the testimony of Elizabeth Gregory the prosecutrix, and Sarah Raines her apprentice; the former of whom swore that she observed Mrs. Leigh Perrot's having quitted her situation in the shop before Miss Gregory had gone down to dinner, and Miss Raines having sworn positively that she took particular notice of Filby's putting up the parcel of black lace, and delivering it into the Prisoner's hand, and that there was nothing but the black lace put into it by him.

It was impossible, his Lordship said, that any person could have a higher character than
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the Prisoner—from Lord Braybroke—from Mr. Vanlittart, member for Berks—from Mr. Annelley, member for Reading—from a number of other persons of the greatest respectability, and from the tradesmen with whom she had had dealings at Bath; but that if the Jury were satisfied with the evidence, and believed the witnesses for the prosecution, that character ought not to avail her, and however exemplary her former conduct might have been, they were bound to pronounce her guilty.

On the part of the Prisoner, his Lordship observed, that her returning and passing by Miss Gregory's shop, with the parcel containing the lace in her hand, so soon after she had left it, when it was proved by the witness Filby that sufficient time had elapsed for her to have gone home and concealed it, had she chosen so to do, certainly did not appear to be the conduct of a guilty person, for that thieves do not wont to hide away and conceal the property they have stolen. The agitation of the Prisoner, when accosted in the street by Miss Gregory, and her having "*turned as red as scarlet,*"

"scarlet," should not, he observed, be construed by them into an indication of guilt, for that, if any person were to be suddenly stopped in the public street, and taxed with the commission of so heinous a crime, such a charge, however conscious of innocence the party might be, would, in all probability, be productive of effects similar to those described by the witnesses.

It appeared from Miss Blgrave's evidence that Filby had once by mistake put up two veils in a parcel for her, when she had only bought one.

Mrs. Mary Kent, his Lordship said, had also been called and spoke of having had five pair of gloves delivered to her instead of four, but as it appeared that she was served by some woman in the shop, and not by Filby, he should leave her evidence totally out of question.

If upon taking all the circumstances of the case into consideration, the Jury should see any reason to disbelieve the witnesses for the prosecution, or which led them to doubt of the Prisoner's guilt, they should recollect the
very

very excellent character which had been given
her, and in that case it ought to have great
weight with them towards an acquittal.

The Jury having consulted for about fifteen
minutes returned a verdict of *Not Guilty*.

ERRATA.

- Line after with her, add the letter of reference [L].
do. for again examined in chief, read re-examined.
do. for [A] read [opposite A].

